

02-07-01

A

UTILITY PATENT APPLICATION TRANSMITTAL

Under Small Entity Status

(New Nonprovisional Applications Under 37 CFR § 1.53(b))

Attorney Docket No.

UNITHERM-2(00-6271)

TO THE COMMISSIONER FOR PATENTS:

Transmitted herewith is the patent application of () application identifier or (X) first named inventor, DAVID HOWARD, entitled PASTEURIZATION OF FOOD PRODUCTS, for a(n):

(X) Original Patent Application.

() Continuing Application (prior application not abandoned):

() Continuation () Divisional () Continuation-in-part (CIP)
of prior Application No. _____, filed on _____.

() A statement claiming priority under 35 USC § 120 has been added to the specification.

(X) Applicant claims small entity status.

Enclosed are:

(X) Specification; 14 Total Pages.(X) Drawing(s); 2 Total Sheets (INFORMAL)

(X) Oath or Declaration:

(X) A Newly Executed Combined Declaration and Power of Attorney:

(X) Signed. () Unsigned. () Partially Signed.

() A Copy from a Prior Application for Continuation/Divisional (37 CFR § 1.63(d)).

() Incorporation by Reference. The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied, is considered as being part of the disclosure of the accompanying application and is hereby incorporated herein by reference.

() Signed Statement Deleting Inventor(s) Named in the Prior Application. (37 CFR § 163(d)(2)).

() Power of Attorney.

() Return Receipt Postcard.

() Associate Power of Attorney.

() A Check in the amount of \$____ for the Filing Fee.

() Preliminary Amendment.

() Information Disclosure Statement and Form PTO-1449 (w/copies)

() A Certified Copy of Priority Documents (if foreign priority is claimed).

() Statement(s) of Status as a Small Entity Filed in Prior Application, Status Still Proper and Desired.

(X) Other: Request and Certification Under 35 U.S.C. 122(b)(2)(B)(i)

CLAIMS AS FILED

| FOR | NO. FILED | NO. EXTRA | RATE | FEE |
|--|-----------|-----------|---------|----------|
| Total Claims | 22 | 2 | \$9.00 | \$18.00 |
| Independent Claims | 3 | 0 | \$40.00 | \$0.00 |
| Multiple Dependent Claim Fee (if applicable) | | | | \$0.00 |
| Assignment Recording Fee (if applicable) | | | | \$0.00 |
| Basic Filing Fee | | | | \$355.00 |
| Total Filing Fee | | | | \$373.00 |

At any time during the pendency of this application, the Commissioner is hereby authorized to charge any fees required or credit any overpayment under 37 CFR § 1.16 and 1.17 to Deposit Account 06-0540.

Respectfully submitted,

By:

DENNIS D. BROWN, Attorney of Record, Reg. No. 33,559

Date: February 6, 2001

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I hereby certify that this is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated below and is addressed to:

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| | | |
|---|-------------------------|------------------------------------|
| REQUEST AND CERTIFICATION UNDER 35 U.S.C. 122 (b)(2)(B)(i) | First Named Inventor | DAVID HOWARD |
| | Title | PASTEURIZATION OF FOOD PRODUCTS |
| | Atty Docket Number | 00-627 |

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

2/6/01

Date

Dennis D. Brown

Signature

DENNIS D. BROWN

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**